

## **REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith. The present amendment is being made to facilitate prosecution of the application.

### **I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 1-28 are pending. Claims 1, 12, 13, and 24-28, which are independent, are hereby amended. Support for this amendment is provided throughout the Specification as originally filed.

No new matter has been introduced by this amendment. Changes to the claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

### **II. REJECTIONS UNDER 35 U.S.C. §103(a)**

Claims 1-10, 12-22, and 24-28 were rejected under 35 U.S.C. § 102(e) as being unpatentable over U.S. Patent No. 6,263,352 to Cohen (hereinafter, merely “Cohen”) in view of U.S. Patent No. 6,219,680 to Bernardo et al. (hereinafter, merely “Bernardo”).

Claims 11 and 23 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Cohen in view of U.S. Patent No. 6,014,638 to Burge et al. (hereinafter, merely “Burge”).

Claim 1 recites, *inter alia*:

“...remotely executing an application that may or may not retrieve web site data such that whether content is retrieved is a

function of the remotely executed application ..." (Emphasis added)

Generally, the claimed invention has the capability for remote execution of an application. Such remote execution may or may not result in retrieval of content. Indeed, the retrieval of content is a function of the remote execution. Applicants submit that at least this feature distinguishes the present claimed invention from the art used as a basis of rejection.

As understood by Applicants, Cohen relates to a computer-implemented system to assist a merchant in setting up an electronic online storefront that is customized to the merchant's business, without requiring the merchant to program.

As understood by Applicants, Bernardo relates to a system for building a web site for use with E-commerce.

As understood by Applicants, Burge relates to a system for customizing content and presentation of content for computer users.

Applicants respectfully submit that nothing has been found in Cohen, Bernardo or Burge, taken alone or in combination, that would teach or suggest the above-identified features of claim 1. Specifically, the art used as a basis of rejection does not teach or suggest remotely executing an application that may or may not retrieve web site data such that whether content is retrieved is a function of the remotely executed application, as recited in claim 1.

Therefore, for at least these reasons, Applicants respectfully submit that independent claim 1 is patentable.

Independent claims 12, 13, and 24-28 are similar, or somewhat similar, in scope and are therefore patentable for similar reasons.

### III. DEPENDENT CLAIMS

The other claims in this application are each dependent from one of the independent claims discussed above, and are therefore patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

### CONCLUSION


In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited references, it is respectfully requested that the Examiner specifically indicate those portions of the references providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Applicants respectfully submit that all of the claims are in condition for allowance and request early passage to issue of the present application.

Respectfully submitted,

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